

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

ROBERTO LUNA	§	
Plaintiff,	§	
 VS.	§	CIVIL ACTION NO. 7:17-cv-00100
	§	JURY DEMANDED
STARSTONE NATIONAL INSURANCE	§	
COMPANY	§	
Defendant.	§	

AGREED STIPULATION OF DISMISSAL FOR PLAINTIFF

Plaintiff Roberto Luna and Defendant Starstone National Insurance Company file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiff is Roberto Luna, Defendant is Starstone National Insurance Company.
2. On February 15, 2017, Plaintiff sued Defendant in the 430th Judicial District, Hidalgo County, Texas, Cause No. C-0711-17-J. On March 16, 2017, Starstone National Insurance Company filed its Original Answer. On March 24, 2017, Starstone National Insurance Company filed its Notice of Removal.
3. On or about October 24, 2017, the parties settled this case. As a result of this settlement, all issues in the above-styled and numbered litigation have been fully and finally settled. Plaintiff now moves to dismiss the suit against Defendant.
4. Defendant agrees to the dismissal.
5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.
6. A receiver has not been appointed in this case.
7. This case is not governed by any federal statute that requires a court order for dismissal of the case.
8. Plaintiff has not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.
9. This dismissal is with prejudice.

Respectfully submitted,

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**COUNSEL FOR PLAINTIFF,
ROBERTO LUNA**
**Signed with permission*

CERTIFICATE OF SERVICE

I certify that on January 30, 2018, a copy of the parties' Agreed Stipulation of Dismissal was *electronically filed* on the CM/ECF system, and will be served on the following attorney in charge for Plaintiff, Roberto Luna, via electronic filing or regular mail:

John A. Millin, IV
Millin & Millin, PLLC
Email: john@millinmillin.com

VIA E-FILING

/s/ Mikell A. West

Mikell A. West